

REMARKS

A replacement sheet 3 of the drawings depicting FIG. 3 is submitted herewith to overcome the objection noted in numbered paragraph 1 of the Office Action.

Regarding the rejections of the claims under 35 U.S.C. 112, claims 4, 9, 15 and 19 have been amended to clarify which panels are being referenced.

Turning now to the prior art rejection set forth in the Office Action, claims 1 and 3 stand rejected under 35 U.S.C. 102 as being anticipated by U.S. Published Application No. 2002/0088409 to Huang. Applicants respectively transverse this rejection in view of the reasons presented below.

At the outset, claim 1 has now been amended for clarification purposes so that it is clear that the side panels of the cage are secured to each other with both a first fastening element including a pin/apertured plate arrangement and a second fastening element comprising a headed pin and key slot arrangement (the same changes have been made to dependent claim 18). These changes have been made to ensure that it is understood that each panel is attached to an adjacent side panel using both types of fastening elements. In contrast, Huang clearly does not disclose the use of a headed pin and key slot type fastening in conjunction with a pin/apertured plate fastening element for attaching two side panels together. Instead, the cage disclosed in Huang employees a plurality of fastening elements of the same type to secure the side panels to one another. In addition, although the figures in Huang appear to suggest that pin/apertured plate type fastening elements are employed, this fact cannot be confirmed from either a close inspection of the drawings or the description in Huang. Still further, although Huang appears to disclose the use of a headed pin and key slot fastening arrangement, once

again it is not clear from the drawings and description that this is the case. In addition, even if it were clear, the alleged headed pin and key slot fastening arrangement is used to attach adjacent sections of a collection tray, and not the side panels of the cage itself.

In view of the foregoing, it is clear that claim 1 as amended is not anticipated by Huang. Further, as recited in claim 3, the length of the pin in the pin/apertured plate fastening element is selected to be long enough that it facilitates partial insertion of the pin into the aperture when the second, headed pin is inserted into the enlarged portion of the key slot. This feature is also clearly not disclosed in Huang, which is another reason why claim 3 is not anticipated by Huang.

Although the rejection of claims 1 and 3 under 35 U.S.C. 102 is clearly overcome in view of the foregoing, Applicant would also like to point out the significance of combining the two types of fastening elements for attaching the side panels of the cage. With this arrangement, the pin and apertured plate fastening element can be used first as a guide or locator to assist in positioning each side panel relative to one another. This then facilitates easy alignment of the headed pin and key slot fastening element. Further, as recited in claim 3, the length of the pin in the pin/apertured plate fastening element is selected to be long enough that it facilitates partial insertion of the pin into the aperture when the second, headed pin is inserted into the enlarged portion of the key slot. Again, this facilitates easy assembly of the side panels to one another. In contrast, Huang uses the same types of fastening elements both at the bottom and the top of the side panels, which inherently are difficult to align since they both must be aligned at the same time. Although no obviousness rejection of claims 1 and 3 has been asserted, Applicant submits that any such rejection would be overcome at least in view of the foregoing

advantages of combining the two different types of fastening elements together for fastening each of the side panels to one another.

Claims 4-20 stand rejected under 35 U.S.C. 103 is being unpatentable over Huang is applied to claim 1 and further in view of U.S. Design Patent No. D426,035, also to Huang. This rejection is traversed in view of the following reasons.

Contrary to the assertions set forth in the Office Action, the '035 patent fails to disclose first and second folding end panels pivotally attached to first and second ends of a base frame as recited in claims 4, 9 and 15, for example. Instead, the '035 patent discloses the use of pivoting side sections, not end sections, and these are pivotally attached to lower side sections of the top assembly and not to a base frame of the top assembly. In addition, the '035 patent by no means discloses the use of U-shaped securing clips, but rather appears to disclose the use of conventional wing nuts. For these reasons, Applicant respectfully submits that the rejection of claims 4-20 is traversed.

In view of the foregoing, Applicant respectfully submits that the application in now condition for allowance. Accordingly, favorable reconsideration is respectfully requested.

Respectfully submitted,

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DRAWING AMENDMENTS

Please replace original sheet 3 of the drawings with the attached replacement sheet 3, which depicts FIG. 3. No new matter is submitted with this replacement sheet.